

REMARKS

Claims 1-12 were pending in this application prior to this amendment. In the Office Action dated 29 July 2005. Claims 1, 3 and 12 were rejected and claims 2 and 4-11 were objected to. By way of this amendment, claim 1 is amended. No new matter is introduced by way of this amendment. Reconsideration of the rejections and objections and further examination of the application is respectfully requested in view of the enclosed amendments and remarks.

Claims 1, 3 and 12 were rejected as anticipated by Sorrells et al. (U.S. 5,996,726). The movement Sorrells et al. refer to is the movement of the formation under pressure. It is difficult to equate the formation, which is a part of the earth, with a man-made device. Applicants have amended claim 1 to clarify that the moving device, the movements of which are to be monitored, is a man-made borehole tool designed to perform measurements within the borehole or formation.

Claims 3 and 12 depend upon claim 1, either directly or indirectly, and therefore include the features of present claim 1. Accordingly, claims 3 and 12 are patentable over Sorrells et al. for the reasons set forth above.

In light of the above amendments and remarks, Applicants believe that the present application and the amended claims are in proper condition for allowance. Such allowance is earnestly requested. If the Examiner is contemplating any action other than allowance of all pending claims, the Examiner is urged to contact Applicant's representative, Jody Lynn DeStefanis, at (203) 431-5505.

Applicants believe that no fees are due in connection with this amendment. However, in the event that a fee or refund is due, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No 19-0615.

Respectfully submitted,

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